

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20253 of 2018

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Ram Naresh Singh Son of Late Ram Bhelawan Singh, Resident of Village and
P.O. and P.S.- Baran Chandra Bigha, District- Aurangabad.

... .. Petitioner/s

Versus

1. The Union Of India.
2. D.R.M. Divisional Rail Manager, Mughalsarai, U.P.
3. Chief Project Officer, BFCC Suwarna Complex, Hyderabad Gate, Lanka,
Varanasi.
4. The Commissioner, Magadh Division, Gaya.
5. District Magistrate, Aurangabad.
6. District Land Acquisition Officer, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the State : Mr. Dhurjati Kumar Prasad (GP-14)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-11-2025 Heard the parties.

2. The present petition has been preferred for the
following relief(s):-

*A) To issue a writ of Mandamus or any
other writ or writs, direction or directions
commanding of Respondents to pay the
compensation/Award of the petitioner land which is
residential and situated in the midst of the village
gobardhon bigha, Barun but the Respondents have
paid the compensation of the acquired land of the
Petitioner treating the same as Agriculture Land*



whereas, from the report of the six Men Committee Report dated 03.05.17, it would appear that the land acquired is residential Land.

B) To pass any such other order or orders as this Hon'ble Court thinks fit and proper under the facts and circumstances of this case."

3. The counter affidavit on behalf of Respondent nos. 5 and 6 duly put on affidavit by the District Land Acquisition Officer, Aurangabad has been filed, copy of which was served upon learned counsel for the petitioner on 23.09.2019. As per paragraph nos. 16 and 17 of the said counter affidavit, the Chief Project Manager, D.F.C.C.I.L, Mughalsarai has filed an arbitration case before the Hon'ble Arbitrator, D.F.C.C.I.L Project, Magadh Division, Gaya in Arbitration Case No. 461 of 2018 (The Chief Project Manager Vs. The State of Bihar & Ors.) which at the filing of the counter affidavit is/was *sub-judice*.

4. As recorded above, no reply has come on behalf of the petitioner, despite service of copy in the year 2019.

5. In that background, it would be appropriate that the writ petition is disposed of allowing the petitioner to agitate the



matter before the appropriate authority/forum, if an order has been passed by the Arbitrator and the petitioner finds it detrimental to his cause.

6. Needless to add, if the petitioner files any such petition before the appropriate authority/forum, the same has to be taken to its logical conclusion at an earliest.

(Rajiv Roy, J)

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